

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IRON WORKERS NATIONAL PENSION :
PLAN, :
: Plaintiff, : MISCELLANEOUS NO. 20-112
v. :
: :
SAMUEL GROSSI & SONS, INC., :
: :
: Defendant. :
: :
M&T BANK, :
: :
: Garnishee. :
:

ORDER

AND NOW, this 20th day of September, 2021, after considering the motion for turnover filed by the plaintiff, Iron Workers National Pension Plan (Doc. No. 9), the response in opposition to the motion filed by the defendant, Samuel Grossi & Sons, Inc. (Doc. No. 13), the response in opposition to the motion filed by the garnishee, M&T Bank (Doc. No. 14), the plaintiff's reply in support of the motion for turnover (Doc. No. 17), the parties' stipulation of uncontested facts (Doc. No. 20), the parties' stipulation of contested facts (Doc. No. 21), and the parties' arguments presented during the hearing on July 15, 2021; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The plaintiff's motion for turnover (Doc. No. 9) is **DENIED**; and
2. The clerk of court shall **MARK** this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.